

Senate File 482 - Introduced

SENATE FILE _____
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SF 266)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the regulation of contributions for a
2 gubernatorial inauguration and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 2470SV 82
5 jr/cf/24

PAG LIN

1 1 Section 1. NEW SECTION. 68A.305 GUBERNATORIAL
1 2 INAUGURATION CONTRIBUTIONS == PENALTY.
1 3 1. Not later than ten days after receiving any
1 4 contribution or making any expenditure for a gubernatorial
1 5 inauguration, the governor=elect shall appoint an inaugural
1 6 treasurer. The name and address of the treasurer shall be
1 7 reported to the ethics and campaign disclosure board by the
1 8 governor=elect not later than ten days after the appointment.
1 9 2. A person shall not make an expenditure or make or
1 10 receive a contribution, in kind or otherwise, for a
1 11 gubernatorial inauguration except by or through the inaugural
1 12 treasurer.
1 13 3. The inaugural treasurer shall keep detailed accounts of
1 14 all contributions received, in kind or otherwise, and all
1 15 expenditures made for a gubernatorial inauguration. Accounts
1 16 of the treasurer may be inspected under conditions determined
1 17 by the board and shall be preserved for a period to be
1 18 designated by the board. A person who receives a
1 19 contribution, in kind or otherwise, for an inaugural treasurer
1 20 more than five days before the ending date of any period for
1 21 which a report is required under this section, on demand of
1 22 the inaugural treasurer, or in any event on or before the
1 23 ending date of the reporting period, shall remit the same and
1 24 render to the inaugural treasurer an account of the
1 25 contribution, including the name and address of the donor, if
1 26 known, and the date received. A contribution received by the
1 27 inaugural treasurer shall not be commingled with personal
1 28 funds of the governor=elect or inaugural treasurer.
1 29 4. The inaugural treasurer shall file with the board a
1 30 report on March 15 and May 15 following the inauguration. The
1 31 report filed on March 15 shall be for the period ending on
1 32 March 14 and the report filed on May 15 shall be for the
1 33 period beginning on March 15 and ending on May 14. Each
1 34 report shall contain the following information:
1 35 a. The amount of cash on hand at the beginning of the
2 1 reporting period.
2 2 b. The name and mailing address of each person who has
2 3 made one or more contributions of money when the aggregate
2 4 amount in a calendar year exceeds two hundred dollars.
2 5 c. The total amount of contributions made during the
2 6 reporting period and not reported under paragraph "b".
2 7 d. The name and mailing address of each person who has
2 8 made one or more in-kind contributions when the aggregate
2 9 market value of the in-kind contributions in a calendar year
2 10 exceeds the applicable amount specified in paragraph "b".
2 11 In-kind contributions shall be designated on a separate
2 12 schedule from schedules showing contributions of money and
2 13 shall identify the nature of the contribution and provide its
2 14 estimated fair market value.
2 15 e. The name and mailing address of each person to whom
2 16 disbursements or loan repayments have been made from
2 17 contributions during the reporting period and the amount,
2 18 purpose, and date of each disbursement except that

2 19 disbursements of less than five dollars may be shown as
2 20 miscellaneous disbursements so long as the aggregate
2 21 miscellaneous disbursements to any one person during a
2 22 calendar year do not exceed one hundred dollars.
2 23 f. The amount and nature of debts and obligations in
2 24 excess of the applicable amount specified in paragraph "b".
2 25 Loans reported under paragraph "e" shall not be considered a
2 26 debt or obligation under this paragraph. A loan made to any
2 27 person by the inaugural treasurer shall be considered a
2 28 disbursement.
2 29 g. Other pertinent information required by this section,
2 30 by rules adopted pursuant to this section, or forms prescribed
2 31 by the board.
2 32 5. The aggregate amount contributed, in kind or otherwise,
2 33 by a person for a gubernatorial inauguration shall not exceed
2 34 twenty-five thousand dollars. A person shall not make a
2 35 contribution in the name of another person, and a person
3 1 knowingly shall not accept a contribution made by one person
3 2 in the name of another. A person shall not give or accept a
3 3 contribution in excess of twenty-five dollars unless the name
3 4 and address of the contributor is made known to the individual
3 5 receiving the contribution. The aggregate of contributions
3 6 for which the name and address of the contributor is not known
3 7 shall not exceed fifty percent of the amount one person may
3 8 contribute.
3 9 6. A person shall not copy a name of a contributor from a
3 10 report filed under this section or use such name for a
3 11 commercial purpose. A person shall not use a name for a
3 12 commercial purpose with knowledge that such name was obtained
3 13 solely by copying information relating to contributions
3 14 contained in a report filed under this section.
3 15 7. In addition to other reports required by this section,
3 16 the inaugural treasurer shall report the amount and nature of
3 17 debts and obligations owed for the gubernatorial inauguration,
3 18 at times prescribed by the board, continuing until such debts
3 19 and obligations are fully paid or discharged.
3 20 8. Moneys received by an inaugural treasurer shall not be
3 21 used or made available for the personal use of the
3 22 governor=elect or governor and such moneys shall not be used
3 23 by such governor=elect or governor except for legitimate
3 24 gubernatorial inauguration expenses. For the purpose of this
3 25 subsection, "personal use" includes any use to defray normal
3 26 living expenses and any use for personal benefit having no
3 27 direct connection with or effect upon the inauguration.
3 28 9. Before the filing of a termination report in accordance
3 29 with this section, all residual funds not otherwise obligated
3 30 for the payment of expenses incurred for the gubernatorial
3 31 inauguration shall be donated to a charitable organization as
3 32 described in section 501(c)(3) of the Internal Revenue Code
3 33 that is exempt from taxation under section 501(a) of the
3 34 Internal Revenue Code or an organization that is established
3 35 for a charitable purpose.
4 1 10. The board shall send a notice by certified or
4 2 restricted certified mail to an inaugural treasurer who fails
4 3 to file a report required by this section within the time
4 4 period prescribed. The notice shall state that the inaugural
4 5 treasurer has fifteen days from the date such notice is sent
4 6 to comply with the reporting requirements before a penalty is
4 7 imposed under section 68B.32D.

4 8 EXPLANATION

4 9 This bill requires that all contributions made for
4 10 gubernatorial inaugurations be administered by an inaugural
4 11 treasurer. The bill contains reporting requirements including
4 12 the identification of any donor contributing more than \$200 in
4 13 a calendar year of either cash or in-kind contributions.
4 14 Individual contributions are capped at \$25,000. Any residual
4 15 funds must be donated to a charity.
4 16 Failure to comply with the reporting requirements of the
4 17 bill may result in a penalty as outlined in Code section
4 18 68B.32D. This section sets out a variety of civil penalties,
4 19 ranging from a reprimand to a civil penalty of not more than
4 20 \$2,000. Willful violations of this bill are punishable under
4 21 Code section 68A.701 as a serious misdemeanor, which carries a
4 22 penalty of a fine of \$315 to \$1,875, and may also include a
4 23 sentence of up to one year in jail.
4 24 LSB 2470SV 82
4 25 jr:rj/cf/24